REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 15 and 19 are currently pending in the application. Claim 15 is amended; Claim 19 is added; and Claims 1-14 and 16-18 are canceled without prejudice or disclaimer by the present amendment. Support for amended Claim 15 and new Claim 19 can be found in the original specification, claims and drawings.[1] No new matter is presented.

In the Final Office Action of February 28, 2008 (herein, the Final Office Action), Claims 1 and 6-18 were rejected under 35 U.S.C. §102(b) as anticipated by RFC 1898 (herein, CyberCash); Claims 2-4 were rejected under 35 U.S.C. §102(b) as anticipated by Boesch et al. (U.S. Pat. 5,870,473, herein Boesch); Claim 5 was rejected as unpatentable over CyberCash in view of Official Notice; and Claims 1, 6, 15 and 16 were rejected under 35 U.S.C. §103(a) as unpatentable over CyberCash in view of Request for Comment 793.

In response to the above-noted rejections under 35 U.S.C. §102 and 35 U.S.C. §103, Applicants respectfully submit that amended independent Claim 15 and new independent Claim 19 recite novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 15, for example, recites an operation method of an authentication and payment system including a terminal, a service providing device, an authentication and payment device, and an information network connecting the terminal, the service providing device, and the authentication and payment device, comprising:

> receiving by the terminal from the authentication and payment device a certificate of service including a content of a reference amount;
> issuing a request for use of a service attached with the certificate of service for the terminal to the service providing device;
> receiving by the service providing device the request for use of a service from the terminal through the information network;

[1] e.g., specification, p. 21, l. 30 – p. 26, l. 17 and Figs. 11-14.

comparing the reference amount in the certificate of service with an amount of payment to determine whether the amount of payment is larger than the reference amount;

generating by the service providing device, in a case the amount of payment is larger than the reference amount, an authentication and payment message, sending the authentication and payment message to the authentication and payment device, and if the payment processing is successful, then executing to provide the requested service to the terminal; and

providing by the service providing device, in a case the amount of payment is equal to or smaller than the reference amount, the requested service to the terminal before the service providing device generates an authentication and payment message that is sent to the authentication and payment device.

New independent Claim 19, while directed to an alternative embodiment, recites similar features as those emphasized above. Accordingly, the remarks and arguments presented below are applicable to each of independent Claims 15 and 19.

Turning to the applied primary reference, CyberCash describes a system that includes credit card and electronic cash payment via the Internet. According to the CyberCash system overview block diagram on p. 3, an Internet customer (e.g., a terminal) may initiate a purchase from an Internet merchant (e.g., service providing device) and a CyberCash server operates with a banking system to obtain authentication and payment (e.g., the CyberCash server and the banking system combined may be an example of an authentication and payment device). Further, CyberCash indicates that information such as merchant ID, a payment type, a credit card number, a credit card type, a credit card expiration date, a note, and a digital signature, may be transmitted between one or more of the Internet customer, Internet merchant, and CyberCash server.

CyberCash, however, fails to teach a configuration in which a terminal interacts with an authentication and payment device to obtain a certificate of service that includes a reference amount, which is subsequently transmitted to a service providing device for comparison against an amount of payment, as claimed.

Instead, as discussed above, CyberCash describes that an Internet customer initiates a purchase with an Internet merchant and the CyberCash server operates with the banking system to obtain authentication and payment on behalf of the Internet customer based on information provided by the Internet customer. Amended independent Claim 15, in contrast, recites that the terminal receives a certificate of service including a content of a reference amount from the authentication and payment device. The terminal then issues a request for use of a service attached with the certificate to a service providing device. The service providing device then compares the reference amount in the certificate of service with an amount of payment to determine whether to immediately provide the service if the payment amount is equal to or less than the reference amount, or send an authentication and payment message to the authentication and payment device if the amount of payment is larger than the reference amount.

CyberCash fails to teach or suggest such a configuration. Instead, as mentioned above, CyberCash describes a system in which an Internet customer initiates a purchase with an Internet merchant, and the Internet merchant interacts with the CyberCash server in order to settle payment for services rendered.

Therefore, the method recited in Claim 15 is fundamentally different from the CyberCash system in that the claimed terminal receives a certificate of service from the authentication of payment device and submits the certificate of service directly to a service providing device, and the service providing device determines whether to first provide the service or to send an authentication and payment message to the authentication and payment device prior to providing the service.

Therefore, CyberCash fails to teach or suggest various features recited in amended independent Claim 15.

Boesch, another applied reference, describes a system and method relating to secured communication in a communication network. Particularly, Boesch describes using sessions having limited duration to enable parties to communicate securely, and that the session of one party is independent from the session of another party.

Boesch, however, is not related to an authentication and payment system, and fails to remedy the above-noted deficiencies of CyberCash.

Similarly, Request for Comment 793 is merely a document describing the TCP protocol, and fails to remedy any of the above noted deficiencies of CyberCash.

Accordingly, Applicants respectfully request that the rejection of Claim 15 under 35 U.S.C. §103 be withdrawn. For substantially similar reasons, it is also submitted that new independent Claim 19 recites novel features clearly not taught or rendered obvious by the applied references.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 15 and 19 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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